

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 796 (Senator Pica)
Judicial Proceedings

Nuisance Abatement - Controlled Dangerous Substances

This bill expands the authority of a court with regard to “nuisance” abatement. Specifically, the bill provides that, after a hearing, a court may (1) order a tenant who has or reasonably should have knowledge of the existence of a nuisance to vacate the property within 72 hours; and (2) order an owner-occupant who has or reasonably should have knowledge of the existence of a nuisance to abate the nuisance. Court actions that may be taken if a owner-occupant fails to comply with an order to abate a nuisance are specified.

The bill also provides that a court may order a tenant or owner-occupant of a commercial property who has or reasonably should have knowledge of the existence of a nuisance to (1) vacate the property within 72 hours for a period not to exceed one year; (2) keep the property vacant for the duration of the court order; and (3) maintain the property during its vacancy and secure it against entry. Tenants who fail to comply with a court order to vacate the property within 72 hours may be subject to a judgement of restitution or the possession of property.

Finally, the bill alters provisions of the law regarding appeals from court orders or judgements pertaining to nuisance abatement.

Fiscal Summary

State Effect: None. The bill would not directly affect State finances.

Local Effect: None.

Information Source(s): District Court of Maryland, Attorney General's Office (Consumer Protection Division)

Fiscal Note History: First Reader - March 15, 1996

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